GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM & FW Department – Establishment- A.P. Medical and Health Services – Dr.B.Madhavilatha, Deputy Civil Surgeon – Included and deferred in the panel year 2021-2022 for promotion to the category of Civil Surgeon (General Line) under Class-A Category (3) (a) of A.P. Health and Family Welfare Service Rules, 2002 until the termination of the disciplinary proceedings – Interim orders dated:15.02.2024 in WP No.3767/2024-Consider promotion as Civil Surgeon (General Line) – Orders –Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (B) DEPARTMENT

G.O.RT.No. 604 Dated: 07-10-2024

Read the following:-

1. G.O.Ms.No.124, HM&FW (B) Department, dated:01.06.2022.
2. Orders dated:15.02.2024 of Hon'ble High Court of Andhra Pradesh in I.A.No.2 of 2024 in W.P.No.3767 of 2024.
3. U.O.Note.No.GAD01-SERV0DPC/51/2024-DPC, dated:31.07.2024 of General Administration (DPC) Department.
4. From the Director of Public Health and Family Welfare, A.P., Vijayawada, Letter Rc.No.7618/E1.A/2023-24, dated:09.09.2024.
5. Notice dated:10.09.2024 in CC No.3564/2024 of the Hon'ble High Court of A.P.

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ORDER:

In the G.O.1st read above, orders were issued approving the names of certain Deputy Civil Surgeons for promotion to the category of Civil Surgeon (General Line) under Class-A Category (3) (a) of A.P. Health and Family Welfare Service Rules, 2002 for the Panel Year 2021-22, wherein, the name of Dr.B.Madhavilatha, Deputy Civil Surgeon was included at Sl.No.14 and deferred until termination of the disciplinary proceedings in terms of G.O.Ms.No.424, GAD, Dated:25.05.1976 and read with G.O.Ms.No.257, GAD, Dated: 10.06.1999.

2. In the reference 2nd read above, the Hon'ble High Court of Andhra Pradesh has passed orders as follows:-

> "...3.Having regard to the facts and circumstances of this case, this Court deems it appropriate to direct the Respondents to proceed with the promotions by considering the candidature of the Writ petitioner also without reference to the Enquiry Proceedings bearing Rc.No.Memo Rc.No.6327/VC.II C/2012-2/7, dated:11.04.2012 (Ex.P.1) and its consequential Proceedings."

3. In the reference 3rd read above, the Screening Committee which met on 29.07.2024 to consider the names of Deputy Civil Surgeon for inclusion in the panel fit for promotion to the category of Civil Surgeon (General Line), HM & FW Department for the panel year 2023-24, has examined the candidature of Dr.B.Madhavilatha, Deputy Civil Surgeon also with due respect to the orders of Hon'ble High Court passed in WP No.3767/2024 and noted that, "*her name has*

already been included and deferred until termination of the disciplinary proceedings against her in terms of G.O.Ms.No.424, GAD, dated:25.05.1976 read with G.o.Ms.No.257, GAD, dated:10.06.1999. Hence, the Committee considers that, her name need not be included in the present panel. One vacancy to be kept aside for Dr. B.Madhavilatha, (Sl.No.8) who was earlier in panel 2021-22 in WP No.3767/2024 was included & her promotion was deferred due top pendency of charges. However, as per the Hon'ble High Court orders, her name to be considered by the administrative department. *The Committee therefore, recommended that the administrative department is competent authority to implement the orders of Hon'ble High Court and pass orders on her promotion."*

4. In the reference 4th read above, the Director of Public Health and Family Welfare, A.P., Vijayawada has reported that, Dr.B.Madhavilatha, Deputy Civil Surgeon who is the Petitioner in W.P.No.3767/2024 has filed CC No.3564/2024 and the same is listed on 10.09.2024. Therefore, requested the Government to issue necessary instructions / appropriate suitable orders in the matter.

5. In the reference 5th read above, the Hon'ble High Court had posted the matter on 16.10.2024 for hearing.

6. Government after careful examination of the matter, hereby promote Dr.B.Madhavilatha, Deputy Civil Surgeon as Civil Surgeon (General Line) temporarily under Class-A Category (3) (a) of A.P. Health and Family Welfare Service Rules, 2002 in the time scale of Rs.94500-170580 under Rule 10(a) of the A.P. State & Subordinate Service Rules, 1996, subject to outcome of W.P.No.3767/2024 and also the disciplinary cases pending against her.

7. The Director of Public Health & Family Welfare, A.P., Vijayawada shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M T KRISHNA BABU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director of Public Health & Family Welfare, A.P., Vijayawada.
The Individual **through** the DPH&FW, Vijayawada.

Copy to:
The Director, Health & Family Welfare, A.P., Mangalagiri.
The OSD to M (H,FW&ME).
The PS to Spl. CS to Government, HM&FW Department.
The PS to Secretary to Government, HM&FW Department.
The Government Pleader for Services-IV, APHC, Amaravati (in CC No.3564/2024).
SF/SCs(2370703).

//FORWARDED::BY ORDER//

SECTION OFFICER